

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 ACDA-07 AGRE-00 AID-05 CEA-01 CEQ-01
CG-00 CIAE-00 CIEP-01 COME-00 DLOS-06 DODE-00 DOTE-00
EB-07 EPA-01 ERDA-05 FMC-01 TRSE-00 H-01 INR-07
INT-05 IO-13 JUSE-00 L-03 NSAE-00 NSC-05 NSF-01
OES-06 OMB-01 PA-01 PM-04 PRS-01 SP-02 SS-15 USIA-06
SAL-01 FEA-01 /121 W

-----102342Z 128768 /70

R 102305Z JAN 77

FM AMEMBASSY OTTAWA

TO SECSTATE WASHDC 2084

C O N F I D E N T I A L OTTAWA 0076

E.O. 11652: GDS

TAGS: SENV, EFIS, PBOR, CA

SUBJ: GULF OF MAINE

REF: (A) STATE 004237 AND (B) OTTAWA 0067

1. FOLLOWING IS TEXT OF AIDE-MEMOIRE TRANSMITTED IN
REFTEL A, AS REVISED IN DISCUSSIONS WITH EUR/CAN AND L,
AND SUBMITTED TO EXTERNAL AFFAIRS MINISTER JAMIESON ON
JANUARY 9. AN ACCOUNT OF THE MEETING WITH JAMIESON WAS
GIVEN IN REFTEL B.

BEGIN TEXT.

2. THE EMBASSY OF THE UNITED STATES REFERS TO THE
U.S.-CANADA GOVERNMENT-TO-GOVERNMENT FISHERIES CONSULTA-
TIONS HELD IN OTTAWA, NOVEMBER 17-19, 1976, THE CANADIAN
EMBASSY'S AIDE-MEMOIRE OF DEC 22, 1976, THE DEPARTMENT
OF STATE'S AIDE-MEMOIRE OF DECEMBER 30, 1976, AND THE
U.S.-CANADA FISHERIES NEGOTIATIONS ON A SHORT-TERM AGREEMENT
SCHEDULED FOR JANUARY 17-31, IN LOS ANGELES.

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3. THE UNITED STATES GOVERNMENT BELIEVES THE TASK NOW
BEFORE NEGOTIATORS OF OUR TWO GOVERNMENTS IS TO DEFINE
APPROPRIATE SHORT-TERM ARRANGEMENTS TO BE IN
PLACE BY MARCH 1, 1977, SO THAT NEGOTIATIONS CAN BE
RESUMED ON LONG-TERM FISHERIES ARRANGEMENTS TO BE
EFFECTIVE AFTER JANUARY 1, 1978.

4. AS THE DEPARTMENT OF STATE INFORMED THE EMBASSY OF CANADA IN ITS AIDE-MEMOIRE OF DEC 30, 1976, IN ANY EVENTS, AFTER MARCH 1, 1977, CANADIAN FISHING IN THE UNITED STATES FISHERING CONSERVATION ZONE NEEDS TO BE PURSUANT TO AN INTERNATIONAL AGREEMENT WHICH RECOGNIZES UNITED STATES JURISDICTION SOUTH OF THE EQUIDISTANCE LINE IN THE GULF OF MAINE AREA.

5. THE CANADIAN GOVERNMENT HAS TAKEN THE VIEW THAT SHORT-TERM FISHERIES ARRANGEMENTS MUST INCLUDE PROVISION FOR JOINT U.S.-CANADIAN MANAGEMENT OF FISHERIES STOCKS ON THE WHOLE OF GEORGES BANK.

6. AS PREVIOUSLY MADE CLEAR, THE UNITED STATES CANNOT ENTER INTO A SHORT-TERM FISHERIES ARRANGEMENTS THAT INVOLVES JOINT MANAGEMENT SOUTH OF THE EQUIDISTANCE LINE IN THE GULF OF MAIN AREA.

7. THE UNITED STATES GOVERNMENT IS OF THE VIEW THAT ELEMENTS OF A SHORT-TERM ARRANGEMENTS SHOULD INCLUDE- AN EXPIRATION DATE OF DECEMBER 31, 1977; NO THIRD-PARTY FISHING IN THE AREAS BETWEEN OUR TWO LINES; MUTUAL FORBEARANCE IN THE AREAS BETWEEN OUR TWO LINES VIS-A-VIS FISHERMEN OF OUR TWO COUNTRIES; ACCESS ON A RECIPROCAL BASIS FOR FISHERMEN OF OUR TWO COUNTRIES TO THE RESPECTIVE FISHERY ZONES OF EACH THAT LIE BEYOND THE PUBLISHED LINES; ARRANGEMENTS THAT WOULD EASE, ON A RECIPROCAL BASIS THE ADMINISTRATIVE BURDENS WHICH OTHERWISE WOULD APPLY; ENFORCEMENT BY EACH COUNTRY IN CONFIDENTIAL

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ITS OWN FISHERY ZONE OUTSIDE OF THE AREAS BETWEEN OUR TWO LINES; AND IN THE AREAS BETWEEN OUR TWO LINES FLAG STATE ENFORCEMENT AGAINST NATIONALS OF OUR TWO COUNTRIES AND ENFORCEMENT BY EITHER GOVERNMENT AGAINST THIRD FLAG VESSELS. SUCH SHORT-TERM ARRANGEMENTS OBVIOUSLY MUST PROVIDE FOR RECIPROCAL ACCESS TO FISHERIES ON TERMS WHICH DO NOT PREJUDICE PUBLISHED CLAIMS OR THE OUTCOME OF SUBSEQUENT NEGOTIATIONS FOR LONG-TERM ARRANGEMENTS.

8. IF IT IS NOT POSSIBLE TO REACH AGREEMENT ON ARRANGEMENTS WHICH WOULD PROVIDE FOR RECIPROCAL ACCESS TO FISHERIES ON TERMS WHICH DO NOT PREJUDICE PUBLISHED CLAIMS, NOR PREJUDICE THE OUTCOME OF SUBSEQUENT NEGOTIATIONS FOR LONG-TERM ARRANGEMENTS, A FURTHER QUESTION ARISES AS TO THE BASIS ON WHICH THE TWO GOVERNMENTS SHOULD PROCEED AFTER MACH 1, 1977. IT WOULD APPEAR THAT IF THE TWO GOVERNMENTS ARE NOT ABLE TO REACH AGREEMENT ON ARRANGEMENTS WHICH REFLECT THE SPECIAL CHARACTER OF THE RELATIONSHIP BETWEEN OUR FISHERMEN, THEY SHOULD AT LEAST BE PREPARED

TO OFFER THE SAME TERMS AS HAVE BEEN OFFERED THIRD PARTIES. FOR ITS PART, ABSENT A RECIPROCAL AGREEMENT, THE UNITED STATES GOVERNMENT IS PREPARED TO NEGOTIATE A GOVERNING INTERNATIONAL FISHERY AGREEMENT WITH CANADA CONCERNING CANADIAN FISHING IN THE UNITED STATES FISHERY CONSERVATION ZONE AFTER MARCH 1, 1977. IN ORDER TO BECOME EFFECTIVE ON OR ABOUT MARCH 1, 1977 SUCH AN AGREEMENT SHOULD BE CONCLUDED AS EXPEDITIOUSLY AS POSSIBLE. THE NECESSITY FOR SUCH AN AGREEMENT, OF COURSE, IS A JUDGMENT FOR THE CANADIAN GOVERNMENT TO MAKE. IN THAT INSTANCE, THE UNITED STATES GOVERNMENT ALSO WOULD WISH TO NEGOTIATE FOR ACCESS, ON TERMS NO MORE RESTRICTIVE, TO FISHERIES WITHIN THE CANADIAN FISHERIES ZONE.

9. THE UNITED STATES GOVERNMENT IS PREPARED TO PROCEED ON EITHER BASIS. IT WOULD BE OF ASSISTANCE IN PREPARING FOR THE JANUARY 17 NEGOTIATIONS, HOWEVER, TO KNOW
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BEFOREHAND HOW THE CANADIAN GOVERNMENT INTENDS TO PROCEED.
END TEXT.
ENDERS

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AIDE MEMOIRE, FISHING LIMITS, NEGOTIATIONS
Control Number: n/a
Copy: SINGLE
Sent Date: 10-Jan-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Drafter: n/a
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Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770009-0705
Format: TEL
From: OTTAWA
Handling Restrictions: n/a
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ISecure: 1
Legacy Key: link1977/newtext/t19770166/aaaacgbl.tel
Line Count: 142
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Litigation Codes:
Litigation History:
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Office: ACTION EUR
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SAS ID: 3632765
Secure: OPEN
Status: NATIVE
Subject: GULF OF MAINE
TAGS: SENV, EFIS, PBOR, CA, US
To: STATE
Type: TE
vdkgvwkey: odbs://SAS/SAS.dbo.SAS_Docs/00f2b6db-c288-dd11-92da-001cc4696bcc
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